

Appendix E



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Marc E. Gold, Esquire
Manko, Gold, Katcher & Fox, LLP
401 City Avenue, Suite 500
Bala Cynwyd, PA 19004

June 8, 2007

Dear Mr. Gold:

EPA has received and reviewed the attached list of tasks performed at the Foote Mineral Superfund Site. In accordance with the terms of the Consent Decree (CD), the list was submitted by your firm representing the Settling Defendant, Frazer/Exton Development LP, to be a summary of work performed at the Site through April 2007 in support of the requirements of the Remedy described in the Record of Decision (ROD). EPA has determined that the listed work items were performed by the Settling Defendant and its contractors. EPA has determined that the listed work items were tasks that satisfy specific requirements of the ROD or CD; were tasks not specifically required by the ROD or CD but necessary to perform the required tasks; or were tasks that were standard and accepted construction practices conducted in support of achieving the ROD requirements, satisfying health and safety concerns or leading to project efficiency. Therefore, EPA has concluded that the listed work items were performed in accordance with the requirements of the ROD.

The activities described in the listed work items were initially overseen by the independent third-party oversight consultant, Advanced Geoservices, Inc., followed by EPA's oversight contractor CDM-Federal.

It is important to note that all plans and submittals required by the CD must be submitted and approved by EPA. Acceptance of this list as work performed in accordance with the ROD does not waive the requirement for individual approvals where specified.

Sincerely,

James J. Feeney
Remedial Project Manager
Western Pennsylvania Branch



APPENDIX E

The following remedial and/or removal actions and related activities were performed at the Site between May 2005 and April 2007 as set forth in paragraph L of the Consent Decree.

| DESCRIPTION OF WORK PERFORMED | CATEGORY |
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| Developed and obtained all permits needed for initiation and continuation of remedial activities in consultation with applicable state and local authorities. | Preparations for Commencement of Site Activities |
| Developed and implemented site-specific health and safety plan for the implementation of the remedial activities. | Preparations for Commencement of Site Activities |
| Developed numerous work plans and internal guidance documents for the implementation of the remedial activities as well as the performance of additional assessment, delineation, and characterization activities. | Preparations for Commencement of Site Activities |
| Established site controls in accordance with guidelines for environmental operations (i.e. Support Zone, Contaminant Reduction Zone, and "Exclusion Zones"). | Preparations for Commencement of Site Activities |
| Establishment of site communications. | Preparations for Commencement of Site Activities |
| Establishment of site utilities (electrical, telecommunications, water). | Preparations for Commencement of Site Activities |
| Permitting of temporary on-site structures. | Preparations for Commencement of Site Activities |
| Site preparation and continued maintenance (installation of stormwater and erosion control measures). | Preparations for Commencement of Site Activities |
| Establishment of decontamination facilities. | Preparations for Commencement of Site Activities |
| Clearing and grubbing of former plant area. | Decontamination/Demolition in Former Plant Area |
| Removal of concrete pads, building foundations, footers, sub slabs. | Decontamination/Demolition in Former Plant Area |

| DESCRIPTION OF WORK PERFORMED | CATEGORY |
|--|---|
| Sizing, crushing and staging of removed concrete, including resulting fines. | Decontamination/Demolition in Former Plant Area |
| Removal of liquid contents from former equalization basin. | Decontamination/Demolition in Former Plant Area |
| Off-site disposal of all water contained in former equalization basin. | Decontamination/Demolition in Former Plant Area |
| Removal and stabilization of sludge in bottom of former equalization basin. | Decontamination/Demolition in Former Plant Area |
| Removal and off-site disposal of asbestos-containing liner of former equalization basin. | Decontamination/Demolition in Former Plant Area |
| Removal of former storage vessels (i.e. subterranean storage bins, USTs, etc.). | Decontamination/Demolition in Former Plant Area |
| Removal and off-site disposal of miscellaneous waste materials. | Decontamination/Demolition in Former Plant Area |
| Additional assessment and waste characterization of "radiologically impacted soils". | Decontamination/Demolition in Former Plant Area |
| Removal and off-site disposal of transformers. | Decontamination/Demolition in Former Plant Area |
| Removal and off-site disposal of former plant area utilities. | Decontamination/Demolition in Former Plant Area |
| Removal and off-site disposal of former railroad ties and spurs. | Decontamination/Demolition in Former Plant Area |
| Clearing and grubbing of the North Quarry. | North Quarry Operations |
| Construction of access and egress ramps into the North Quarry. | North Quarry Operations |
| Collection of soil samples from off-site borrow source for clean fill to verify clean fill status. | North Quarry Operations |
| Installation and compaction of clean fill in controlled lifts in the North Quarry. | North Quarry Operations |
| Transportation of crushed and sized concrete and fines to the North Quarry. | North Quarry Operations |

| DESCRIPTION OF WORK PERFORMED | CATEGORY |
|---|---|
| Placement of crushed and sized concrete and fines in controlled lifts in the North Quarry. | North Quarry Operations |
| Transportation and placement of AOC soil materials in controlled lifts in the North Quarry. | North Quarry Operations |
| Collection and analysis of numerous additional assessment/soil delineation samples as part of the remedial design. | Site Remediation Operations including ISS in South Quarry |
| Modification of support areas in preparation for In-situ Soil Stabilization (ISS). | Site Remediation Operations including ISS in South Quarry |
| Provided access to and cleared and grubbed the South Quarry. | Site Remediation Operations including ISS in South Quarry |
| Off site disposal of NORM material to an approved disposal facility. | Site Remediation Operations including ISS in South Quarry |
| Consolidated NORM material onto the radiological soil areas #2 and #3. | Site Remediation Operations including ISS in South Quarry |
| Removed South Quarry tailings "ISS swell material" and moved to the North Quarry. | Site Remediation Operations including ISS in South Quarry |
| Transferred soil material from AOC's #1, #2, #11, #12, #13, #14, #15, 16 and former buildings #52, #27/11, #12, #40, #45 and #39 to the temporary stock pile area across from South Quarry. | Site Remediation Operations including ISS in South Quarry |
| Laboratory analysis of soil, waste, and water samples. | Site Remediation Operations including ISS in South Quarry |
| Data management systems including GISKey and FTP server systems. | Site Remediation Operations including ISS in South Quarry |
| Installed temporary site retention basins for E&S control upgrades. | Site Remediation Operations including ISS in South Quarry |
| In-Situ Soil Stabilization (ISS) of the South Quarry tailings. | Site Remediation Operations including ISS in South Quarry |
| Partial completion of ISS columns. | Site Remediation Operations including ISS in South Quarry |

| DESCRIPTION OF WORK PERFORMED | CATEGORY |
|---|---|
| Filtration of surface groundwater to supplement the ISS needs and water management. | Site Remediation Operations including ISS in South Quarry |
| Off site disposal of water from the South Quarry to an approved facility following April 15, 2007 Nor'easter storm. | Site Remediation Operations including ISS in South Quarry |
| Submittals of manifests for waste water shipments. | Site Remediation Operations including ISS in South Quarry |
| Collected additional soil samples from off site potential clean fill borrow sources. | Site Remediation Operations including ISS in South Quarry |
| Electronic transmittal of analysis of potential clean fill borrow source from the PA Turnpike. | Site Remediation Operations including ISS in South Quarry |
| Completion of haul road preparations for off-site clean fill arrival | Site Remediation Operations including ISS in South Quarry |